

UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

Janice A. Subert, Individually and as Representative)
on behalf of the Estate of Richard E. Subert,)
Plaintiff,) MDL 875
vs.)
A.W. Chesterton Company, et al.,) Case No: 11-CV-63484
Defendants.)
MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

FILED

MAR 19 2012

MICHAEL E. KUNZ, Clerk

By _____ Dep. Clerk

ORDER

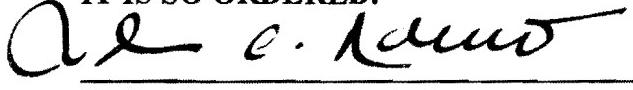
AND NOW, this 19th day of March, 2012, it is hereby ORDERED, as follows:

1. Defendant Metso Paper USA, Inc.'s motion for reconsideration, filed March 15, 2012, is GRANTED;

2. Defendant Metso Paper USA, Inc.'s motion for leave to file a reply brief in support of its motion to dismiss, Docket No. 229, was timely filed and unopposed, and therefore is GRANTED;

3. Upon consideration of Metso Paper USA, Inc.'s motion to dismiss, Docket No. 184, plaintiff's opposition thereto, Docket Nos. 227 and 228, and defendant's reply offered with its motion for leave, Docket No. 228, it is ORDERED, for the reasons set forth in Paragraph 1 of the Court's Order of March 12, 2012, that the motion to dismiss is GRANTED, the claims in this case are DISMISSED and the case shall be marked CLOSED.¹

IT IS SO ORDERED.



United States District Judge

¹ Plaintiffs provided only pathology and radiology reports indicating that the decedent had lung cancer. Plaintiffs' Administrative Order No. 12 Report provided no exposure history, and no mention of asbestos. See doc. no. 227, Pls.' Ex. 7; doc. no. 228, Pls.' Ex. B-28.